

*IFW-A*

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 180.00)

### Complete if Known

|                      |                        |
|----------------------|------------------------|
| Application Number   | 10/764,964-Conf. #9324 |
| Filing Date          | January 26, 2004       |
| First Named Inventor | James R. Ruesch        |
| Examiner Name        | Gerald A. Michalsky    |
| Art Unit             | 3753                   |

Attorney Docket No. 30774/LCP03924

### METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 13-2855 Deposit Account Name: MARSHALL, GERSTEIN & BORUN LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayment of  Credit any overpayments

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

#### 2. EXCESS CLAIM FEES

##### Fee Description

Each claim over 20 (including Reissues)

**Small Entity**  
**Fee (\$)**      **Fee (\$)**

50      25

Each independent claim over 3 (including Reissues)

200      100

Multiple dependent claims

360      180

|              |              |          |               |
|--------------|--------------|----------|---------------|
| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
| _____        | - = _____    | x _____  | = _____       |

|                                  |               |
|----------------------------------|---------------|
| <b>Multiple Dependent Claims</b> |               |
| Fee (\$)                         | Fee Paid (\$) |
| _____                            | _____         |

|               |              |          |               |
|---------------|--------------|----------|---------------|
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
| _____         | - = _____    | x _____  | = _____       |

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

|              |               |  |          |               |
|--------------|---------------|--|----------|---------------|
| Total Sheets | Extra Sheets  | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
| _____        | - 100 = _____ | /50 (round up to a whole number)                 | x _____  | = _____       |

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement

180.00

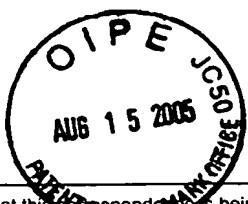
#### SUBMITTED BY

|                   |                 |                                      |        |           |                 |
|-------------------|-----------------|--------------------------------------|--------|-----------|-----------------|
| Signature         |                 | Registration No.<br>(Attorney/Agent) | 50,555 | Telephone | (312) 474-6300  |
| Name (Print/Type) | Chirag B. Patel |                                      |        | Date      | August 12, 2005 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 12, 2005

Signature: (Chirag B. Patel)



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Dated: August 12, 2005

Signature:

(Chirag B. Patel)

Docket No.: 30774/LCP03924  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
James R. Ruesch et al.

Application No.: 10/764,964

Confirmation No.: 9324

Filed: January 26, 2004

Art Unit: 3753

For: ELECTRONIC AIR SEPARATION SYSTEM Examiner: Gerald A. Michalsky

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of a Notice of Allowance, but before payment of the Issue Fee (37 CFR 1.97(d)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered.

I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign (EPO) patent office in a counterpart foreign (EPO) application not more than three months prior to the filing of this Information Disclosure Statement.

A summary/abstract translation of the non-English language references is

enclosed.

08/16/2005 CNGUYEN2 00000018 10764964

01 FC:1806

180.00 OP

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 30774/LCP03924. A duplicate copy of this paper is enclosed.

Dated: August 12, 2005

Respectfully submitted,

By \_\_\_\_\_

Chirag B. Patel

Registration No.: 50,555

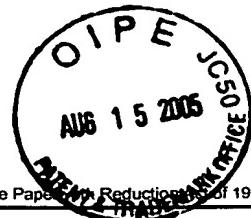
MARSHALL, GERSTEIN & BORUN LLP  
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Attorney for Applicant



PTO/SB/08a/b (07-05)

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 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|   |   |    |   |                          |                        |
|---|---|----|---|--------------------------|------------------------|
| Substitute for form 1449A/B/PTO   |   |    |   | <b>Complete if Known</b> |                        |
|   |   |    |   | Application Number       | 10/764,964-Conf. #9324 |
|   |   |    |   | Filing Date              | January 26, 2004       |
|   |   |    |   | First Named Inventor     | James R. Ruesch        |
|   |   |    |   | Art Unit                 | 3753                   |
|   |   |    |   | Examiner Name            | Gerald A. Michalsky    |
| Sheet   | 1 | of | 1 | Attorney Docket Number   |                        |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT<br><i>(Use as many sheets as necessary)</i> |   |    |   |                          |                        |

| U.S. PATENT DOCUMENTS |                       |  |                                |  |   |
|-----------------------|-----------------------|--|--------------------------------|--|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | Document Number<br>Number-Kind Code <sup>2</sup> ( <i>if known</i> ) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages or Relevant<br>Figures Appear |
| *                     |                       | US-5,922,969   | 07-13-1999                     | Haar   |   |

| FOREIGN PATENT DOCUMENTS |                       |   |                                |  |   |
|--------------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> ) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages or Relevant<br>Figures Appear |
|                          |                       | DE-DE 23 35 238-A1  | 01-30-1975                     | Popken   |   |
|                          |                       | EP-EP 0 895 960-A1  | 02-10-1999                     | Haar   |   |

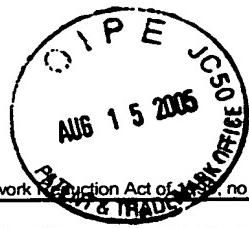
\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS |                       |   |  |  |                |
|---------------------------------|-----------------------|---|--|--|----------------|
| Examiner Initials               | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |  | T <sup>2</sup> |
|                                 |                       |   |  |  |                |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

|                    |  |                 |  |
|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|



PTO/SB/92 (09-04)

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Application No. (if known): 10/764,964

Attorney Docket No.: 30774/LCP03924

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on August 12, 2005  
Date

Signature

Chirag B. Patel

Typed or printed name of person signing Certificate

50,555  
Registration Number, if applicable

(312) 423-3437  
Telephone Number

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IDS (Citation) by Applicant (3 References) (1 page)  
Information Disclosure Statement  
Fee Transmittal  
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